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Letter dated 3 December 2001 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to inform you of recent developments which may seriously jeopardize the entire peace process in the Democratic Republic of the Congo. These developments are as follows:

1. Refusal to demilitarize the city of Kisangani

The spokesman for the Rassemblement congolais pour la democratie based in Goma (RCD-Goma), an armed group identified in document S/2001/1072 (para. 123) as the creation of the Rwandan State, announced publicly that his armed group would not demilitarize the city of Kisangani, on the pretext that, in accordance with the laws in force in the Democratic Republic of the Congo, provincial governors had been appointed. This armed group interpreted this step as a violation of Security Council resolution 1376 (2001).

My Government wishes to recall the content of paragraph 3 of resolution 1376 (2001), in which the Council "*demands once again* that Kisangani be demilitarized rapidly and unconditionally in accordance with Security Council resolution 1304 (2000), *takes note* of the pledge by the RCD-Goma during the 4411th meeting of 9 November 2001 fully to demilitarize the city, *welcomes* the decision of the Secretary-General to further deploy MONUC personnel in this city, notably to contribute to the training of police, *stresses* that, once demilitarized, no party will be permitted to reoccupy the city militarily and *welcomes* in this regard the pledge by the Government of the Democratic Republic of the Congo, during the same meeting, to respect this provision".

The appointment of a governor for Orientale Province reflects the determination of His Excellency Major-General Joseph Kabila, President of the Republic, to reaffirm the integrity of the national territory and national sovereignty, in accordance with the spirit of Gaborone and the Declaration of Commitment embodying the republican pact, freely signed by all the Congolese parties at the preparatory meeting for the inter-Congolese dialogue.

Moreover, it is ridiculous to claim that a civil servant working in Kinshasa on the files relating to his province would go to occupy by military means the post to which he was assigned.

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This new manoeuvre by RCD-Goma, and its creator, Rwanda, is nothing more or less than a new delaying tactic. This armed group and aggressor State have used this legal and legitimate appointment as an excuse for not fulfilling their obligations deriving from resolutions 1304 (2000) and 1376 (2001).

2. Deployment of the Rwandan Patriotic Army

The Special Representative of the Secretary-General for the Democratic Republic of the Congo, Mr. Amos Namanga Ngongi, confirmed on Wednesday, 28 November 2001, that the Rwandan Patriotic Army (RPA) was reinforcing its troops in Isiro (Orientale Province), Fizi (South Kivu) and Kalemie (Katanga) and to that end was frantically recruiting young people, including adolescents. This deployment foreshadows a major confrontation in the region.

3. Resumption of fighting in areas under Ugandan control

Since the end of November 2001, following repeated provocations by the Ugandan armed forces (UPDF), responsible for all kinds of violations, unusually fierce fighting resumed in the Bunia region, causing the death of some 100 innocent people and the displacement of about 1,000 others towards the city of Bunia.

The Security Council will recall that it was in this area that UPDF orchestrated the disturbances which led to clashes between the Hema and Lendu tribes.

The Security Council will also recall that it was in this same area occupied by Uganda that national and international workers of the International Committee of the Red Cross (ICRC) were murdered in a cowardly manner on 26 April 2001.

4. Repression of workers in the occupied provinces

One week ago, employees of the State enterprises in the occupied provinces spontaneously began an unlimited strike to protest against the requisition of all monies received by these semi-public companies and against the suspension of collective agreements by RCD-Goma.

Not content simply to levy taxes and impose high customs duties on both the public and private sectors, as well as on humanitarian aid, in order to support their war effort since the fall in the price of COLTAN, RCD-Goma and Rwanda have clearly resolved to help themselves to the paltry means of subsistence of the inhabitants, who are bent under the yoke of the occupant.

Officials from RCD-Goma and Rwanda have carried out arrests in some enterprises and improper dismissals in others. In all cases, workers and their families are subject to frequent harassment by RCD-Goma and Rwanda.

All these deplorable facts must be denounced and condemned by the Security Council, for otherwise the United Nations is liable to be discredited for failing to react appropriately.

They confirm the obvious wish of Uganda and Rwanda to remain indefinitely in the territory of the Democratic Republic of the Congo in flagrant violation of the entire peace process begun in Lusaka. Their ultimate goal is to prevent the ensuing effective deployment of MONUC in order to pursue their armed aggression against the Democratic Republic of the Congo and their pillage of its natural resources and other forms of wealth.

In view of the foregoing, my Government again calls on the Security Council to assume its full responsibilities concerning the establishment and maintenance of peace and security in the Democratic Republic of the Congo, in particular by:

1. Demanding the immediate demilitarization of the city of Kisangani in accordance with all its relevant resolutions in that connection;

2. Demanding also the immediate withdrawal of Ugandan and Rwandan forces, in accordance with its resolution 1304 (2000) of 16 June 2000;

3. Accompanying its demand for the withdrawal of Ugandan and Rwandan forces from the territory of the Democratic Republic of the Congo with appropriate coercive measures, as permitted under Articles 39, 41 and 42 of the Charter of the United Nations;

4. Accelerating the deployment of MONUC, particularly by following up the offer made by Uganda at the 4411th meeting of the Security Council to withdraw from the areas under its control in Orientale Province if MONUC were deployed there, which would have the effect of diffusing the current tension;

5. Demanding also that Uganda and Rwanda show respect for human rights in the areas under their occupation and de facto control and allow access thereto, in full freedom and security, so that human rights violations and breaches of international human rights law can be investigated;

6. Demanding lastly an immediate halt to the illegal exploitation of the natural, human and material resources of the Democratic Republic of the Congo.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Atoki **Ileka**
Ambassador
Permanent Representative